

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

TAZ MORRIS DARNALL,

Petitioner,

CASE NO. 11-12648

v.

THOMAS MACKIE,

HONORABLE PAUL D. BORMAN  
UNITED STATES DISTRICT  
JUDGE

Respondent.

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**ORDER DENYING AS MOOT PETITIONER'S  
MOTION FOR A CERTIFICATE OF APPEALABILITY (Dkt. #23) AND  
MOTION TO PROCEED *IN FORMA PAUPERIS* ON APPEAL (Dkt. #25)**

Petitioner Taz Morris Darnall has appealed the Court's dismissal of his *pro se* habeas corpus petition. Currently pending before this Court are Petitioner's motion for a certificate of appealability and motion to proceed *in forma pauperis* on appeal. The motions are moot because the Court addressed both matters in its dispositive opinion and order dated January 5, 2015. The Court declined to grant a certificate of appealability, but stated that Petitioner could proceed *in forma pauperis* on appeal. *See* Op. and Order, Dkt. #20, pp. 7-8. Furthermore, Petitioner's motion for a certificate of appealability is addressed to the United States Court of Appeals for the Sixth Circuit, not this Court. The same motion is

pending before the Court of Appeals. *See Darnall v. Smith*, No. 15-1205 (6th Cir. Feb. 26, 2015). For these reasons, Petitioner's motion for a certificate of appealability (Dkt. #23) and his motion for leave to proceed *in forma pauperis* on appeal (Dkt. #25) are DENIED as moot.

s/Paul D. Borman

PAUL D. BORMAN

UNITED STATES DISTRICT JUDGE

Dated: March 12, 2015

#### CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing order was served upon each attorney or party of record herein by electronic means or first class U.S. mail on March 12, 2015.

s/Deborah Tofil

Case Manager